



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

TM11/0324

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/959,575	10/28/97	002	MEISLAHN, D	2132 03/15/01
First Named Applicant	CARLSON, 55 USC 104(b) term ext. = 0 days.			

TITLE OF INVENTION  
SYSTEM FOR SUPPLYING SCREENED RANDOM NUMBERS FOR USE IN RECREATIONAL

GAMING IN A CASINO OR OVER THE INTERNET

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
2 1505/5A	380-251.000	D60	UTILITY	NO	\$1240.00	06/15/01

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS  
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.

Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY

## Notice of Allowability

Application No. 08/959,575	Applicant(s) Carlson
Examiner Douglas Meislahn	Group Art Unit 2132

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

This communication is responsive to the after-final response received 02 March 2001.

The allowed claim(s) is/are 17 and 18.

The drawings filed on \_\_\_\_\_ are acceptable.

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

Applicant MUST submit NEW FORMAL DRAWINGS

because the originally filed drawings were declared by applicant to be informal.

including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 5.

including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

including changes required by the attached Examiner's Amendment/Comment.

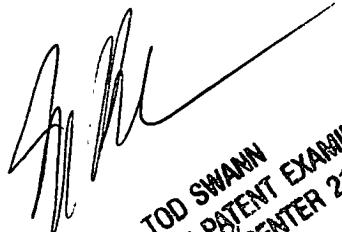
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

### Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152
- Interview Summary, PTO-413
- Examiner's Amendment/Comment
- Examiner's Comment Regarding Requirement for Deposit of Biological Material
- Examiner's Statement of Reasons for Allowance

  
TOD SWANN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter Lippman on 14 March 2001.

The application has been amended as follows:

In line 8 of claim 17, insert "substantially" after "numerical".

In line 14 of claim 17, delete "substantially".

2. The following is an examiner's statement of reasons for allowance: Wilke et al. had been used to show a system that would require testing for the randomness of numbers. This stipulation is only in regard to the long-term randomness of numbers generated. As such, it does not anticipate, render obvious, or otherwise raise the issue of checking for the short-term randomness of a series of long-term random numbers. Therefore, it cannot serve as the nexus for combining Vasseur ('509) and applicant's admitted prior art. For at least this reason, the claims are allowable.

The claims had been rejected as containing the word "substantially" at four points, lines 9, 14 (moved to line 8), 37, and 45 of claim 17. This rejection is withdrawn, partly because of applicant's discussion of the case law and partly as a result of the telephonic interviews of 13 and 14 March 2001. These conversations clarified the first three recitations. The recitation modifying "pseudo-random numbers" (line 8) lets the

phrase cover number series that can be used as random or pseudo-random number series but contain some apparently deterministic feature. The example discussed in the telephone conferences was a series of 99 pseudo-random numbers followed by one constant number.

The second recitation, modifying "not limited to any specific number of digits or places", allows the phrase to cover limits that are artificially constructed to avoid infringement due to literal interpretation of the claims. For example, limiting the size of the numbers to twenty bits for no reason other than to implement the inventive elements of the current invention without infringing upon the claims would now, in fact, infringe upon the claims.

The third recitation, modifying "each of said sets", can be interpreted as "at least some of said sets."

The final recitation of "substantially", modifying "continuously", was allowable before the interviews. It is the examiner's opinion that this recitation is absolutely necessary as a modifier of "continuously" because of the inconsistency between a digital environment and the idea of a continuous action therein.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Brown (4240635).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas J. Meislahn whose telephone number is (703) 305-1338. The examiner can normally be reached from 9 AM to 6 PM from Monday through Thursday.

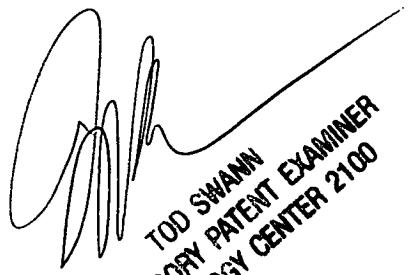
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tod Swann can be reached on (703) 308-7791. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-9051 for regular communications and (703) 308-9052 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Douglas J. Meislahn  
Examiner  
Art Unit 2132

  
DJM

March 14, 2001

  
TOD SWANN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

FORM PTO-892		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. 08959575	GROUP ART UNIT 2767	ATTACHMENT TO PAPER NO.	19
		NOTICE OF REFERENCES CITED		APPLICANT(S) Carlson			

## U.S. PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	A	4,240,635	12/1980	Brown	463	20	
	B						
	C						
	D						
	E						
	F						
	G						
	H						
	I						
	J						
	K						

## FOREIGN PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS
	L						
	M						
	N						
	O						
	P						
	Q						

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	
S	
T	
U	

EXAMINER Douglas Meislahn	DATE March 14, 2001	Form892ccs2106b
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\* A copy of this reference is not being furnished with this office action.  
(See Manual of Patent Examining Procedure, section 707.05(a).)

## Interview Summary

Application No. 08/959,575	Applicant(s) Carlson
Examiner Douglas Meislahn	Group Art Unit 2132



All participants (applicant, applicant's representative, PTO personnel):

(1) Douglas Meislahn

(3) \_\_\_\_\_

(2) Peter Lippman

(4) \_\_\_\_\_

Date of Interview 13 and 14 March 2001

Type:  Telephonic  Personal (copy is given to applicant applicant's representative).

Exhibit shown or demonstration conducted:  Yes  No. If yes, brief description:

Agreement  was reached.  was not reached.

Claim(s) discussed: 17

Identification of prior art discussed:

none

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

We discussed the four 112 recitations of "substantially".

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1.  It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2.  Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.